



## CITY OF MONTCLAIR

Montclair Civic Center  
5111 Benito Street  
Montclair, CA 91763

September 13, 2012

**TO:** Honorable Mayor and City Council

**FROM:** Edward C. Starr, City Manager

**SUBJECT:** CITY MANAGER'S WEEKLY REPORT: September 7-13, 2012

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➤ **CITY MANAGER/ADMINISTRATIVE SERVICES DEPARTMENTS**

- The Legislature passed and sent to Governor Brown SB 214, a bill that makes important changes to existing Infrastructure Financing District (IFD) law. The change in law would allow IFDs to become helpful financing tools for a wide variety of local infrastructure including roads, bridges, sewer and water systems, and other infrastructure improvements needed to expand and retain business and grow jobs.

SB 214 is touted by legislative members as a successor process to the Legislature's and Governor's faulty, destructive, and unwise decision to eliminate community redevelopment agencies. Brown has not indicated if he will sign the bill.

### Summary of SB 214

**IFD Establishment:** The City Council may designate one or more Infrastructure Financing Districts (IFD) by resolution(s). Each resolution must include the type of public facilities and development proposed to be financed or assisted by the district and state the sources of property tax increment (TI) that may be used. On final adoption of an IFD, the City Council must find: 1) the goals of the IFD are consistent with the general plan; and 2) IFD financing is an efficient means of implementing district goals.

**Organizing the IFD:** Notice of intention to form an IFD must be sent to all affected property owners and taxing entities. The IFD is a legally separate and distinct entity. The legislative body of the IFD is called the "public financing authority," with membership comprised of three members of the city council establishing the IFD, and two public members. The public financing authority shall designate and direct the city engineer to prepare an infrastructure plan. The infrastructure plan must contain a map; a description of the public facilities or assistance that benefits or serves the development; a financing section; a limit on the total number of dollars of taxes that may be allocated; the date the district may cease to exist, not to exceed 40 years from formation; and various forms of analysis including whether any housing units occupied by low-income households will be removed, and the goals of the district. The public financing authority shall call a public hearing, with notice in the newspaper, on the proposed IFD no sooner than 60 days from the date notice was sent to property owners.

**Revenues and Financing:** Revenues may be used directly for projects of the IFD; may be accumulated for no more than five years; and may be pledged to pay the interest and principal on bonds (Bond Act of 1915, Mello-Roos, or an Integrated Financing District). An IFD may contribute to the cost of maintaining facilities financed by the IFD. The IFD may enter into agreements with any taxing entities to finance public facilities and development projects authorized by the law.

**Authorized Purposes:** The IFD is authorized to finance a broad range of public works and some development:

**Traditional Public Works:** The purchase of land and facilities; and facilities and infrastructure construction, expansion, improvement, seismic retrofit, and rehabilitation (includes planning, design work, and maintenance of facilities financed by IFD). Projects must have an estimated useful life of 15 years or longer. Facilities need not be physically located within the boundaries of the district and may be structural or nonstructural public capital facilities that either benefit properties within the district or make facilities available to those properties, including, but not limited, to the following:

- ✓ Highways, interchanges, ramps and bridges, arterial streets, parking facilities, and transit facilities
- ✓ Sewage treatment and water reclamation plants and interceptor pipes
- ✓ Facilities and watershed lands used for the collection and treatment of water for urban uses

- ✓ Flood management including levees, bypasses, dams, retention basins, and drainage channels
- ✓ Child care facilities and libraries
- ✓ Parks, recreational facilities, and open space/habitat restoration
- ✓ Facilities for the transfer and disposal of solid waste, including transfer stations and vehicles
- ✓ Rehabilitation and upgrade of existing facilities—the IFD can rehabilitate, upgrade, or make more sustainable existing facilities
- ✓ Maintenance—the IFD can dedicate funds to maintain development financed by the district
- ✓ Other Development—the district may finance any project that implements a "transit priority project," regional transportation plan, or other projects consistent with a sustainable communities strategy

The term "transit priority project" is not defined in the bill. However, in compliance with SB 375 (2008), it is presumed these projects must contain:

- At least 50 percent residential use, based on total building square footage and, if the project contains between 26 percent and 50 percent nonresidential uses, a floor area ratio of not less than 0.75
- Provide a minimum net density of at least 20 dwelling units per acre
- Be within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan
- A major transit stop includes major transit stops that are included in the applicable regional transportation plan; and a high-quality transit corridor means a corridor with fixed-route bus service with service intervals no longer than 15 minutes during peak commute hours

- A project shall be considered to be within one-half mile of a major transit stop or high-quality transit corridor if all parcels within the project have no more than 25 percent of their area farther than one-half mile from the stop or corridor, and if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one-half mile from the stop or corridor
- ✓ Housing: Any district *that constructs housing* must require 20 percent of the units to be affordable, as defined by law. Requires replacement and relocation benefits for any dwelling units that are proposed to be destroyed in the course of private development or public works construction within the area of the district.
- ✓ Polanco Act: The IFD may finance any actions to implement the Polanco Act—brownfields remediation/toxic land cleanup.
- ✓ Authority To Enter JPA: An IFD can enter into a JPA with an affected taxing entity to carry out only non-taxing authority or powers.
- ✓ Prevailing Wage: IFD-financed projects shall comply with prevailing wage law, including projects involving construction, demolition, installation, or repair work; and dwelling units constructed by a district.

**Legal Challenges:** Applies a 30-day statute of limitations for any legal challenges to the final adoption of the IFD, its financing plan, or debt issuance.

**Accountability Provisions:**

- ✓ Annual Report: An annual report must be mailed to each property owner and affected taxing entity and published on the City’s website. The report shall describe the district’s expenditures, progress toward its goals, and status on the completion of projects. An IFD is prohibited from spending funds if the report is not submitted. If a district does not show evidence of progress for five consecutive years, expenditure authority is limited to completing projects initiated, with remaining funds returned to affected taxing entities.

- ✓ Public Accountability Committee: If other taxing entities agree to dedicate their shares of tax increment to the IFD, a public accountability committee shall be formed, consisting of one member from each participating affected taxing entity and a member appointed by the IFD. Meetings of the public accountability committee are subject to the Brown Act. The public accountability committee shall conduct or have conducted an annual performance review and an independent financial audit.
- In last week's City Manager's Weekly, under the discussion on **SB 340—Public Employee Pension Reform**, a typographical error caused the reader to incorrectly conclude that pensionable compensation for "new members" would include payments made for additional pay beyond the normal monthly rate of pay or base pay provided the member. In fact, under SB 340, pensionable compensation for "new members" does not include any pay beyond the normal monthly rate of pay or base pay paid to the employee. "New members" are individuals hired on or after January 1, 2013, who have never been members of a public retirement system; individuals who move between retirement systems with more than a six-month break in service; and individuals who move between public employers within the same retirement system after a six-month break in service.

➤ **COMMUNITY DEVELOPMENT DEPARTMENT**

- The L.A. County Fair at Fairplex in Pomona runs through Sunday, September 30. The Fair is open Wednesday through Sunday (closed Mondays and Tuesdays). Live thoroughbred horse racing will be held September 7 through September 23—also dark on Mondays and Tuesdays.

City employees and the community can still purchase discounted Fair tickets at the Recreation facility and the Senior Center. Tickets are good any day the Fair is open. Adult tickets are \$10 and child tickets (ages 6 to 12) are \$6. Children 5 and under are free. "Senior Wednesday" coupons, good for free admission for seniors on September 19 and September 26 are also available from the Recreation facility and the Senior Center. Tickets must be purchased with cash.

Montclair Day at the Fair is Wednesday, September 26. The day's activities will include a parade featuring Montclair groups and a special ceremony for Montclair's Community Heroes, Ron Foss and Hollis Judkins. Coupons good for \$5 admission to the Fair on Montclair Day are available at the Senior Center, Recreation facility, and City Hall. These tickets must be purchased online in advance.

The Montclair Golden Express will provide free transportation for adults (18 and older) on Montclair Day only, beginning at 11 a.m. To make reservations, call Program Aide Martha Medina at (909) 625-9456. For more information on discounted tickets, call the Recreation facility at (909) 625-9479.

- On Tuesday the Senior Center held an afternoon concert by *Music del Valle*, a group of local high school students who enjoy playing classical music. The group performed a collection of music that included everything from Mozart to Led Zeppelin. A picture of the performers is included on Page 10.

➤ **POLICE DEPARTMENT**

- On September 10 just before 5 a.m., a 22-year-old man skateboarding home from work was struck by a car on Benson Avenue south of Moreno Street. The Police Department received the 9-1-1 call from the driver. When Officers arrived, they began first aid on the victim who was lying unresponsive on the roadway. Fire Department Paramedics arrived and pronounced the victim deceased, and the San Bernardino County Coroner responded to the scene.

The Police Department's Major Accident Team was dispatched to take over the investigation and determine the cause and impairment.

The driver of the vehicle was southbound on Benson Avenue and did not see the victim who was riding his skateboard in the number one lane of Benson Avenue. The victim was wearing dark clothing when the collision occurred.

➤ **FIRE DEPARTMENT**

- On Monday, September 10, the Fire Department welcomed its newest member, Administrative Aide Marilyn Hall. Marilyn has worked for the City since 1992. During her years of service, she was assigned to SBWESTNET and the Police Department's Detective Bureau. She will now be serving as the Administrative Aide in the Fire Department's Administration Office.

As the Fire Department welcomes a new member, it also bids adieu to Administrative Specialist Marci Butler. Marci worked at the Fire Department for nine years. She will now fill a vacancy in the Police Department's Detective Bureau. Her new responsibilities include assisting the detectives with their caseloads by acting as a court liaison, as well as providing clerical support.

The reassignments of Marci and Marilyn within the Office of Public Safety were necessary to balance like job duties between the Police and Fire Departments. We wish Marci and Marilyn the very best in their new positions!

➤ **PUBLIC WORKS/SUCCESSOR REDEVELOPMENT AGENCY**

- The City of Montclair partnered for the fourth year with other local cities in hosting the Inland Empire West End Job Fair, *Local Jobs for Local Residents*, on September 12 at the LA/Ontario International Airport. Over 80 local businesses and organizations offered full-time or part-time employment opportunities in the areas of professional/managerial, technical, clerical, sales, service, and other positions.

Over 1,600 people attended the Job Fair with the goal of securing employment. They had the opportunity to meet with prospective employers, participate in one-on-one meetings with mentors to help improve resumes, and attend workshops covering a wide range of workforce-related topics to help enhance their skills to successfully obtain employment.

The Job Fair was a major success as a result of a multi-community collaborative effort organized by the West End cities of Chino, Fontana, Montclair, Ontario, Rancho Cucamonga, and Upland; the County of San Bernardino Workforce Investment Board; LA/Ontario International Airport; Ontario Chamber of Commerce; Rancho Cucamonga Chamber of Commerce; Montclair Chamber of Commerce; First Presbyterian Church of Upland; *Inland Valley Daily Bulletin*; and KSPA radio.

Thanks go to Economic Development Coordinator Miguel Garcia who represented the City on the organizing committee, contributed to the event's publicity efforts, and reached out to local employers, including Montclair Hospital Medical Center and members of the Montclair Chamber of Commerce. The event involved several months of planning and coordination among many participating vendors and public agencies.

- The vehicular gates leading into the alley of the Castlerock Villas neighborhood (formerly referred to as Foundation Area 11) were closed off to nonresidents on Thursday, September 6. The alley, located between Bonnie Brae and San Jose Streets and Mills and Pradera Avenues, is now only accessible by remote control to residents residing in apartments that abut the alley.

The alley vacation and the subsequent closing off of the alleys was the City's final involvement in the project. At its inaugural annual meeting on September 12, the Castlerock Villas Owners Association elected a board of directors and appointed officers. The fully incorporated Owners Association is now in charge of routine management of the Association and is responsible for the maintenance of the common areas and landscaped areas.

ECS:spa

*"A pessimist sees only the dark side of the clouds, and mopes; a philosopher sees both sides, and shrugs; an optimist doesn't see the clouds at all—he's walking on them."*

*~ Leonard Louis Levinson*

# SEPTEMBER 2012



17	Code Enforcement Committee Meeting City Hall Conference Room	6:00 p.m.
17	City Council Meeting Council Chambers	7:00 p.m.
20	Safety Committee Meeting City Hall Conference Room	9:00 a.m.
20	Public Safety Committee Meeting City Hall Conference Room	2:00 p.m.
20	Metro Gold Line Foothill Extension Public Meeting Montclair Senior Center	5:30 p.m.
22	MCEA Picnic Alma Hofman Park	11:00 a.m.
24	Metro Gold Line Foothill Extension Public Meeting The Meeting House at Hillcrest 2705 Mountain View Drive, La Verne	5:30 p.m.
24	Planning Commission Meeting Council Chambers	7:00 p.m.
25	City Manager's Staff Meeting City Hall Conference Room	9:00 a.m.
26	Montclair Day at the Fair	



*Music del Valle* performed at the Senior Center